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June 10, 2021

Via ECF and email:

ALCarterNYSDChambers@nysd.uscourts.gov

Hon. Andrew L. Carter, Jr.
United States District Court
40 Foley Square, Room 435
New York, New York 10007

MEMO ENDORSED

Re: The D&M Capital Group, LLC (the “Debtor”)
Case No. 21-cv-05001 (ALC)

Dear Judge Carter,

This firm represents Shanghai Pearls & Gems, Inc. d/b/a Ultimate Diamond Co., the appellant (“Appellant”) in the above-referenced bankruptcy appeal of an Order Approving a Settlement between Alan Nisselson, Chapter 7 Trustee of the bankruptcy estate of The D&M Capital Group, LLC (the “Trustee”) and Radwan Diamond & Jewellery Trading (“Radwan”).

We were notified that Appellant’s Brief was scheduled to be filed in this matter by July 7, 2021, and are writing to request an approximate 30-day extension of the time to file Appellant’s Brief. We are aware that your Honor’s Individual Rules provide for submission of a Stipulation to reschedule dates by which briefs are due, however, counsel that was previously representing Radwan in the Debtor’s bankruptcy case has been given permission to withdraw as its counsel, and to our knowledge no successor counsel has appeared. Radwan is located in the United Arab Emirates and for the time being, the only form of communication with it is through U.S. Registered Mail. Thus, we cannot obtain a Stipulation by all involved parties.

In addition, the Bankruptcy Court has directed that the Trustee, Appellant, Radwan, and other interested creditors in the Debtor’s on-going bankruptcy case all take part in a mediation in an attempt to arrive at a global settlement of the issues that are present in the bankruptcy case, including the issues raised by this appeal. That process has started and Appellant sees no reason not to let the mediation process proceed. Further, the attorneys who will be taking part in drafting Appellant’s Brief previously, and separately, had scheduled vacation time later this month and in July leading up to the July 4 holiday weekend.

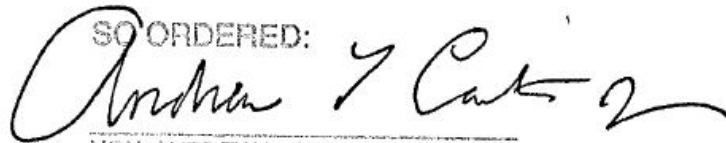
Accordingly, it is respectfully requested that an approximate 30-day extension of time to Wednesday, August 11, 2021, to file Appellant's Brief, be granted. The Trustee has authorized Appellant to advise the Court of his consent to the extension. Appellant also respectfully requests that such an extension be without prejudice to requesting further extensions based on the progress of the mediation and other facts and circumstances relevant to potential settlement of the matter.

Respectfully,

PLATZER, SWERGOLD,
GOLDBERG, KATZ & JASLOW, LLP

By: /s/ Andrew S. Muller
Andrew S. Muller

cc: Les Barr, Esq., counsel for Trustee (via email)
Radwan Diamond & Jewellery Trading (via U.S. Registered Mail)

SO ORDERED:


HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

Dated: June 11, 2021